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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
BRIAN C. SUMMERS,

Plaintiff,

-against-

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.  
-----X

JUDGMENT  
09-CV- 4371 (ARR)

An Order of Honorable Allyne R. Ross, United States District Judge, having been filed on February 4, 2010, reversing the Commissioner's decision, pursuant to the fourth sentence of 42 U.S.C. § 405(g); and remanding plaintiff's claim for disability insurance benefits, filed on January 3, 2007, for further administrative proceedings, including but not limited to, a new hearing; further development of the record; re-evaluation of treating source evidence; re-assessment of plaintiff's residual functional capacity; and supplemental vocational expert evidence, if warranted; and a new decision; it is

ORDERED and ADJUDGED that the Commissioner's decision is reversed, pursuant to the fourth sentence of 42 U.S.C. § 405(g); and that it is further,

ORDERED and ADJUDGED that plaintiff's claim for disability insurance benefits, filed on January 3, 2007 is remanded for further administrative proceedings,

dm

JUDGMENT  
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including but not limited to, a new hearing; further development of the record; re-evaluation of treating source evidence; re-assessment of plaintiff's residual functional capacity; and supplemental vocational expert evidence, if warranted; and a new decision.

Dated: Brooklyn, New York  
February 05, 2010

ROBERT C. HEINEMANN  
Clerk of Court